

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgt.com

ROBERT M. STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX***
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL O. LEE
STEVEN R. LUDWIG

JOHN M. COVERT*
LINDA E. ALCORN
ROBERT C. MILLONIG
MICHAEL V. MESSINGER
JUDITH U. KIM
TIMOTHY J. SHEA, JR.
DONALD R. MCPHAIL
PATRICK E. GARRETT
STEPHEN G. WHITESIDE
JEFFREY T. HELVEY*
HEIDI L. KRAUS
JEFFREY R. KURIN
RAYMOND MILLIEN

PATRICK D. O'BRIEN
LAWRENCE B. BUGAISKY
CRYSTAL D. SAYLES
EDWARD W. YEE
ALBERT L. FERRO*
DONALD R. BANOWIT
PETER A. JACKMAN
MOLLY A. MCCALL
TERESA U. MEDLER
JEFFREY S. WEAVER
KRISTIN K. VIDOVICH
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE

GRANT E. REED
VINCENT L. CAPUANO
JOHN A. HARROUN*
ALBERT J. FASULO II*
W. BRIAN EDGE*
ELDORA ELLISON FLOYD*
W. RUSSELL SWINDELL
THOMAS C. FIALA
LONNY L. MULLER*
BRIAN J. DEL BUONO*
VIRGIL L. BEASTON*
RYAN J. STAMPER*

KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
ANDREA J. KAMAGI**
NANCY J. LEVIN**
ELIZABETH J. STANES**
MARK P. TERRY**

*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

RECEIVED
APR 12 2001
TECH CENTER 1600/200

April 10, 2001

WRITER'S DIRECT NUMBER:

(202) 371-2544

INTERNET ADDRESS:

MCIMBALA@SKGF.COM

ART UNIT 1648

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application
Appl. No. 09/610,838; Filed: July 6, 2000
For: **Fusion Proteins and Polynucleotides Encoding Gelonin Sequences**
Inventors: Better *et al.*
Our Ref: 0610.099000A/MAC/MJC

Sir:

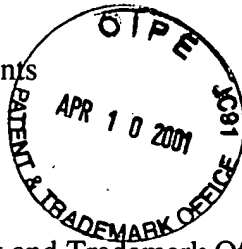
Transmitted herewith for appropriate action are the following documents:

1. Transmittal Letter (*in duplicate*);
2. Fee Transmittal (*in duplicate*);
3. Information Disclosure Statement and Fee Under 37 C.F.R. § 1.97(c) (*in duplicate*);
4. Form PTO-1449 (33 pages) citing 154 documents
5. Copies of cited documents AA1-AK2, AL1-AP7 and AR1-AR33;
6. SKG&F Check No. 30511 in the amount of \$180.00 fee for Information Disclosure Statement; and
7. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

09610838-070600

Commissioner for Patents
April 10, 2001
Page 2



The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in cursive script, reading "Michele A. Cimballa".

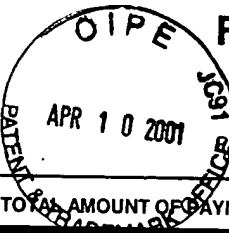
Michele A. Cimballa
Attorney for Applicants
Registration No. 33,851

MJC/ybh

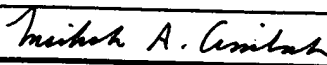
Enclosures

P:\USERS\YHARRIS\MC\PTO\61099A.tr
SKGF Rev. 4/27/00 mac

009510838-070600

<div><h1>FEE TRANSMITTAL for FY 2001</h1><p>Patent fees are subject to annual revision.</p></div>		Complete if Known	
		Application Number	09/610,838
TOTAL AMOUNT OF PAYMENT (\$180.00)		Filing Date	July 6, 2000
		First Named Inventor	BETTER et al.
		Examiner Name	Salimi, A.
		Group Art Unit	1648
		Attorney Docket No.	0610.099000A/MAC/MJC

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																																																																									
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <p>Deposit Account Number: 19-0036</p> <p>Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p>		<p>3. ADDITIONAL FEES</p> <table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td></td><td></td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td></td><td></td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td></td><td></td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td></td><td></td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td></td><td></td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td></td><td></td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td></td><td></td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>390</td><td>216</td><td>195</td><td></td><td></td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>890</td><td>217</td><td>445</td><td></td><td></td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td></td><td></td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td></td><td></td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>310</td><td>219</td><td>155</td><td></td><td></td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>310</td><td>220</td><td>155</td><td></td><td></td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>270</td><td>221</td><td>135</td><td></td><td></td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td></td><td></td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td></td><td></td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td></td><td></td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td></td><td></td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>440</td><td>243</td><td>220</td><td></td><td></td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>600</td><td>244</td><td>300</td><td></td><td></td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td></td><td></td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>130</td><td>123</td><td>130</td><td></td><td></td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126</td><td>180</td><td>126</td><td>180</td><td></td><td></td><td>Submission of Information Disclosure Stmt</td><td>\$180.00</td></tr><tr><td>581</td><td>40</td><td>481</td><td>40</td><td></td><td></td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>710</td><td>246</td><td>355</td><td></td><td></td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149</td><td>710</td><td>249</td><td>355</td><td></td><td></td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td>179</td><td>710</td><td>279</td><td>355</td><td></td><td></td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169</td><td>900</td><td>169</td><td>900</td><td></td><td></td><td>Request for expedited examination of a design application</td><td></td></tr></tbody></table>		Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid	105	130	205	65			Surcharge - late filing fee or oath		127	50	227	25			Surcharge - late provisional filing fee or cover sheet		139	130	139	130			Non-English specification		147	2,520	147	2,520			For filing a request for <i>ex parte</i> reexamination		112	920*	112	920*			Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action		115	110	215	55			Extension for reply within first month		116	390	216	195			Extension for reply within second month		117	890	217	445			Extension for reply within third month		118	1,390	218	695			Extension for reply within fourth month		128	1,890	228	945			Extension for reply within fifth month		119	310	219	155			Notice of Appeal		120	310	220	155			Filing a brief in support of an appeal		121	270	221	135			Request for oral hearing		138	1,510	138	1,510			Petition to institute a public use proceeding		140	110	240	55			Petition to revive - unavoidable		141	1,240	241	620			Petition to revive - unintentional		142	1,240	242	620			Utility issue fee (or reissue)		143	440	243	220			Design issue fee		144	600	244	300			Plant issue fee		122	130	122	130			Petitions to the Commissioner		123	130	123	130			Petitions related to provisional applications		126	180	126	180			Submission of Information Disclosure Stmt	\$180.00	581	40	481	40			Recording each patent assignment per property (times number of properties)		146	710	246	355			Filing a submission after final rejection (37 CFR 1.129(a))		149	710	249	355			For each additional invention to be examined (37 CFR 1.129(b))		179	710	279	355			Request for Continued Examination (RCE)		169	900	169	900			Request for expedited examination of a design application	
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid																																																																																																																																																																																																																																				
105	130	205	65			Surcharge - late filing fee or oath																																																																																																																																																																																																																																					
127	50	227	25			Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																																																					
139	130	139	130			Non-English specification																																																																																																																																																																																																																																					
147	2,520	147	2,520			For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																																																																																					
112	920*	112	920*			Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																																																					
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action																																																																																																																																																																																																																																					
115	110	215	55			Extension for reply within first month																																																																																																																																																																																																																																					
116	390	216	195			Extension for reply within second month																																																																																																																																																																																																																																					
117	890	217	445			Extension for reply within third month																																																																																																																																																																																																																																					
118	1,390	218	695			Extension for reply within fourth month																																																																																																																																																																																																																																					
128	1,890	228	945			Extension for reply within fifth month																																																																																																																																																																																																																																					
119	310	219	155			Notice of Appeal																																																																																																																																																																																																																																					
120	310	220	155			Filing a brief in support of an appeal																																																																																																																																																																																																																																					
121	270	221	135			Request for oral hearing																																																																																																																																																																																																																																					
138	1,510	138	1,510			Petition to institute a public use proceeding																																																																																																																																																																																																																																					
140	110	240	55			Petition to revive - unavoidable																																																																																																																																																																																																																																					
141	1,240	241	620			Petition to revive - unintentional																																																																																																																																																																																																																																					
142	1,240	242	620			Utility issue fee (or reissue)																																																																																																																																																																																																																																					
143	440	243	220			Design issue fee																																																																																																																																																																																																																																					
144	600	244	300			Plant issue fee																																																																																																																																																																																																																																					
122	130	122	130			Petitions to the Commissioner																																																																																																																																																																																																																																					
123	130	123	130			Petitions related to provisional applications																																																																																																																																																																																																																																					
126	180	126	180			Submission of Information Disclosure Stmt	\$180.00																																																																																																																																																																																																																																				
581	40	481	40			Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																					
146	710	246	355			Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																																																					
149	710	249	355			For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																																																					
179	710	279	355			Request for Continued Examination (RCE)																																																																																																																																																																																																																																					
169	900	169	900			Request for expedited examination of a design application																																																																																																																																																																																																																																					
<p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*</p> <p>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</p>																																																																																																																																																																																																																																											
<p>FEE CALCULATION</p> <p>1. BASIC FILING FEE</p> <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101</td><td>710</td><td>201</td><td>355</td><td>Utility filing fee</td><td></td></tr><tr><td>106</td><td>320</td><td>206</td><td>160</td><td>Design filing fee</td><td></td></tr><tr><td>107</td><td>490</td><td>207</td><td>245</td><td>Plant filing fee</td><td></td></tr><tr><td>108</td><td>710</td><td>208</td><td>355</td><td>Reissue filing fee</td><td></td></tr><tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5">SUBTOTAL (1) (\$)</td><td></td></tr></tbody></table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	710	201	355	Utility filing fee		106	320	206	160	Design filing fee		107	490	207	245	Plant filing fee		108	710	208	355	Reissue filing fee		114	150	214	75	Provisional filing fee		SUBTOTAL (1) (\$)																																																																																																																																																																																																					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																																																						
101	710	201	355	Utility filing fee																																																																																																																																																																																																																																							
106	320	206	160	Design filing fee																																																																																																																																																																																																																																							
107	490	207	245	Plant filing fee																																																																																																																																																																																																																																							
108	710	208	355	Reissue filing fee																																																																																																																																																																																																																																							
114	150	214	75	Provisional filing fee																																																																																																																																																																																																																																							
SUBTOTAL (1) (\$)																																																																																																																																																																																																																																											
<p>2. EXTRA CLAIM FEES</p> <table border="1"><thead><tr><th>Extra</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Total Claims - 20** =</td><td>X</td><td></td></tr><tr><td>Indep. Claims - 3** =</td><td>X</td><td></td></tr><tr><td>Multiple Dependent</td><td></td><td></td></tr></tbody></table> <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr><tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td></tr><tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim</td></tr><tr><td>108</td><td>80</td><td>209</td><td>40</td><td>**Reissue independent claims over original patent</td></tr><tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr><tr><td colspan="5">SUBTOTAL (2) (\$)</td></tr></tbody></table>		Extra	Fee from below	Fee Paid	Total Claims - 20** =	X		Indep. Claims - 3** =	X		Multiple Dependent			Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	80	202	40	Independent claims in excess of 3	104	270	204	135	Multiple dependent claim	108	80	209	40	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent	SUBTOTAL (2) (\$)					<p>Other fee (specify):</p> <p>Other fee (specify):</p> <p>*Reduced by Basic Filing Fee Paid</p> <p>SUBTOTAL (3) (\$) 180.00</p>																																																																																																																																																																																										
Extra	Fee from below	Fee Paid																																																																																																																																																																																																																																									
Total Claims - 20** =	X																																																																																																																																																																																																																																										
Indep. Claims - 3** =	X																																																																																																																																																																																																																																										
Multiple Dependent																																																																																																																																																																																																																																											
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description																																																																																																																																																																																																																																							
103	18	203	9	Claims in excess of 20																																																																																																																																																																																																																																							
102	80	202	40	Independent claims in excess of 3																																																																																																																																																																																																																																							
104	270	204	135	Multiple dependent claim																																																																																																																																																																																																																																							
108	80	209	40	**Reissue independent claims over original patent																																																																																																																																																																																																																																							
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																																																							
SUBTOTAL (2) (\$)																																																																																																																																																																																																																																											

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Michele A. Cimbal	Registration No. (Attorney/Agent)	33,851	Telephone	202-371-2600
Signature		Date	April 10, 2001		